

“(B) health benefit utilization is 300 percent higher among drug users than individuals who do not use drugs;

“(C) 47 percent of workplace accidents are drug-related;

“(D) disciplinary actions are 90 percent higher among drug users than among individuals who do not use drugs; and

“(E) employee turnover is significantly higher among drug users than among individuals who do not use drugs.

“(b) PURPOSES.—The purposes of this title [see Short Title of 1998 Amendment note set out under section 631 of this title] are to—

“(1) educate small business concerns about the advantages of a drug-free workplace;

“(2) provide grants and technical assistance in addition to financial incentives to enable small business concerns to create a drug-free workplace;

“(3) assist working parents in keeping their children drug-free; and

“(4) encourage small business employers and employees alike to participate in drug-free workplace programs.”

#### SENSE OF CONGRESS FOR 1998 AMENDMENT

Pub. L. 105-277, div. C, title IX, §903, Oct. 21, 1998, 112 Stat. 2681-708, provided that: “It is the sense of Congress that—

“(1) businesses should adopt drug-free workplace programs;

“(2) States should consider incentives to encourage businesses to adopt drug-free workplace programs; and

“(3) such incentives may include—

“(A) financial incentives, including—

“(i) a reduction in workers’ compensation premiums;

“(ii) a reduction in unemployment insurance premiums; and

“(iii) tax deductions in an amount equal to the amount of expenditures for employee assistance programs, treatment, or illegal drug testing; and

“(B) other incentives, such as the adoption of liability limitations, as recommended by the President’s Commission on Model State Drug Laws.”

### § 655. Pilot Technology Access Program

#### (a) Establishment

The Administration, in consultation with the National Institute of Standards and Technology and the National Technical Information Service, shall establish a Pilot Technology Access Program, for making awards under this section to Small Business Development Centers (hereinafter in this section referred to as “Centers”).

#### (b) Criteria for selection of Centers

The Administrator of the Small Business Administration shall establish competitive, merit-based criteria for the selection of Centers to receive awards on the basis of—

(1) the ability of the applicant to carry out the purposes described in subsection (d) in a manner relevant to the needs of industries in the area served by the Center;

(2) the ability of the applicant to integrate the implementation of this program with existing Federal and State technical and business assistance resources; and

(3) the ability of the applicant to continue providing technology access after the termination of this pilot program.

#### (c) Matching requirement

To be eligible to receive an award under this section, an applicant shall provide a matching

contribution at least equal to that received under such award, not more than 50 percent of which may be waived overhead or in-kind contributions.

#### (d) Purpose of awards

Awards made under this section shall be for the purpose of increasing access by small businesses to on-line data base services that provide technical and business information, and access to technical experts, in a wide range of technologies, through such activities as—

(1) defraying the cost of access by small businesses to the data base services;

(2) training small businesses in the use of the data base services; and

(3) establishing a public point of access to the data base services.

Activities described in paragraphs (1) through (3) may be carried out through contract with a private entity.

#### (e) Renewal of awards

Awards previously made under section 648a<sup>1</sup> of this title may be renewed under this section.

#### (f) Interim report

Two years after the date on which the first award was issued under section 648a<sup>1</sup> of this title, the General Accounting Office shall submit to the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives and to the Committee on Small Business and the Committee on Commerce, Science, and Transportation of the Senate, an interim report on the implementation of the program under such section and this section, including the judgments of the participating Centers as to its effect on small business productivity and innovation.

#### (g) Final report

Three years after such date, the General Accounting Office shall submit to the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives and to the Committee on Small Business and the Committee on Commerce, Science and Transportation of the Senate, a final report evaluating the effectiveness of the Program under section 648a<sup>1</sup> of this title and this section in improving small business productivity and innovation.

#### (h) Authorization of appropriations

There are authorized to be appropriated to the Small Business Administration \$5 million for each of fiscal years 1992 through 1995 to carry out this section, and such amounts may remain available until expended.

#### (i) Funding from other sources; employment of Centers by Federal agencies

Centers are encouraged to seek funding from Federal and non-Federal sources other than those provided for in this section to assist small businesses in the identification of appropriate technologies to fill their needs, the transfer of technologies from Federal laboratories, public and private universities, and other public and

<sup>1</sup> See References in Text note below.

private institutions, the analysis of commercial opportunities represented by such technologies, and such other functions as the development, business planning, market research, and financial packaging required for commercialization. Insofar as such Centers pursue these activities, Federal agencies are encouraged to employ these Centers to interface with small businesses for such purposes as facilitating small business participation in Federal procurement and fostering commercialization of Federally-funded research and development.

(Pub. L. 85-536, §2[28], as added Pub. L. 102-140, title VI, §609(d), Oct. 28, 1991, 105 Stat. 825.)

#### REFERENCES IN TEXT

Section 648a of this title, referred to in subsecs. (e) to (g), was repealed by Pub. L. 102-140, title VI, §609(e), Oct. 28, 1991, 105 Stat. 826, effective Oct. 1, 1992.

#### CHANGE OF NAME

General Accounting Office redesignated Government Accountability Office by section 8 of Pub. L. 108-271, set out as a note under section 702 of Title 31, Money and Finance.

Committee on Small Business of Senate changed to Committee on Small Business and Entrepreneurship of Senate. See Senate Resolution No. 123, One Hundred Seventh Congress, June 29, 2001.

### § 656. Women's business center program

#### (a) Definitions

In this section—

(1) the term “Assistant Administrator” means the Assistant Administrator of the Office of Women's Business Ownership established under subsection (g);

(2) the term “private nonprofit organization” means an entity that is described in section 501(c) of title 26 and exempt from taxation under section 501(a) of such title;

(3) the term “small business concern owned and controlled by women”, either startup or existing, includes any small business concern—

(A) that is not less than 51 percent owned by 1 or more women; and

(B) the management and daily business operations of which are controlled by 1 or more women; and

(4) the term “women's business center site” means the location of—

(A) a women's business center; or

(B) 1 or more women's business centers, established in conjunction with another women's business center in another location within a State or region—

(i) that reach a distinct population that would otherwise not be served;

(ii) whose services are targeted to women; and

(iii) whose scope, function, and activities are similar to those of the primary women's business center or centers in conjunction with which it was established.

#### (b) Authority

The Administration may provide financial assistance to private nonprofit organizations to conduct 5-year projects for the benefit of small business concerns owned and controlled by women. The projects shall provide—

(1) financial assistance, including training and counseling in how to apply for and secure business credit and investment capital, preparing and presenting financial statements, and managing cash flow and other financial operations of a business concern;

(2) management assistance, including training and counseling in how to plan, organize, staff, direct, and control each major activity and function of a small business concern; and

(3) marketing assistance, including training and counseling in identifying and segmenting domestic and international market opportunities, preparing and executing marketing plans, developing pricing strategies, locating contract opportunities, negotiating contracts, and utilizing varying public relations and advertising techniques.

#### (c) Conditions of participation

##### (1) Non-Federal contributions

As a condition of receiving financial assistance authorized by this section, the recipient organization shall agree to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources as follows:

(A) in the first and second years, 1 non-Federal dollar for each 2 Federal dollars; and

(B) in the third, fourth, and fifth years, 1 non-Federal dollar for each Federal dollar.

##### (2) Form of non-Federal contributions

Not more than one-half of the non-Federal sector matching assistance may be in the form of in-kind contributions that are budget line items only, including office equipment and office space.

##### (3) Form of Federal contributions

The financial assistance authorized pursuant to this section may be made by grant, contract, or cooperative agreement and may contain such provision, as necessary, to provide for payments in lump sum or installments, and in advance or by way of reimbursement. The Administration may disburse up to 25 percent of each year's Federal share awarded to a recipient organization after notice of the award has been issued and before the non-Federal sector matching funds are obtained.

##### (4) Failure to obtain non-Federal funding

If any recipient of assistance fails to obtain the required non-Federal contribution during any project, it shall not be eligible thereafter for advance disbursements pursuant to paragraph (3) during the remainder of that project, or for any other project for which it is or may be funded by the Administration, and prior to approving assistance to such organization for any other projects, the Administration shall specifically determine whether the Administration believes that the recipient will be able to obtain the requisite non-Federal funding and enter a written finding setting forth the reasons for making such determination.

#### (d) Contract authority

A women's business center may enter into a contract with a Federal department or agency to provide specific assistance to women and